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Bismarck's Attitude toward the Entrance of Bavaria into the North German Confederation

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BISMARCK'S ATTITUDE TOWARD THE ENTRANCE OF BAVARIA INTO THE NORTH GERMAN CONFEDERATION

BY

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BISMARCK'S ATTITUDE TOWARD THE ENTRANCE OF BAVARIA INTO THE NORTH GERMAN CONFEDERATION.

Bavaria's future, as viewed from the field of Königgratz, might well cause statesmen and people serious concern. Austria, the defeated ally, had no power to intercede for the South German States. Victorious Prussia was eager for further conquest and pushed the army up to Vienna. Bavaria, alone, was too weak to offer any effective resistance to the powerful neighbor on the north, who might demand either territory or money, or both, as compensation for losses.

Although the question of the leadership of the German people was now definitely settled, Prussia dared not make too rigorous demands of Bavaria. Surrounded as she was by enemies she was obliged to move circumspectly, if more powerful armies were not to intervene. Wherever there was a chance, therefore, to turn an enemy into a friend without sacrificing any North German interests it was good policy to do so. Besides, to be lenient with Bavaria now in this time of need might enable Prussia to form connections that would eventually lead to the union of Germany, a long sought consummation.

When these facts concerning the position of the two countries are taken into consideration it does not seem so strange that the erstwhile bitter enemies should now form a treaty of offense and defense. A little more than a month after Königgratz the Bavarian Chamber of Deputies while discussing the indemnity to be paid to Prussia expressed the wish "that his Majesty the King would be graciously pleased to use his influence in such a direction that, by means of a closer union with Prussia, the path be entered upon which, at the present time, is the only one that can lead to the

wished-for goal of a united Germany, co-operating with a freely elected parliament constituted with the powers demanded for the effectual guarding of national interests and the repulse of possible attacks from abroad."[1]

Four days later, August 22, the Bavarian ministers and Bismarck signed the treaty of offense and defense. This treaty guaranteed to the contracting parties the integrity of their territory and obligated each to place its full army strength at the disposal of the other in case of war. In such case the Bavarian forces were to be under the command of the king of Prussia[2] This treaty was to be ratified at the same time as the treaty of peace, but was to be kept secret for the time being. In fact it was not disclosed until the next spring.

The following day, August 23, the treaty of peace, known as the Treaty of Prague, was signed. In the fourth article of this treaty the Emperor of Austria agrees "to recognize the closer Federal union which his Majesty, the king of Prussia, will establish north of the line of the Main, and further declares himself agreed to the combination of the states south of this line in a union whose international relations to the North German Confederation are to be determined by nearer negotiations between the two, and which shall have an independent national existence."[3] Following the conclusion of this treaty King Ludwig, in order to show that he was filled with the kindliest feelings for Prussia, wrote a personal letter to King William offering him the possession in common with himself of their ancestral castle at Nuremberg. He expressed the hope

1. Hohenlohe, Memoirs, I, 160.
2. Schulthess, Geschichtskalendar, 1866, 449.
3. " " " 278.

that the banners of both floating from its towers might "be recognized as a symbol that Prussia and Bavaria are both watching in harmony over Germany's future welfare, which Providence has now by the hand of your Royal Majesty guided into new paths."[4]

The state of feeling of the Bavarians can be pretty well illustrated by their reception of the treaty. The prime minister, Pfordten expressed himself as satisfied with the situation. He was pleased that Prussia had refrained from demanding a part of upper Bavaria, but had been content with a money indemnity of thirty million florins. He strongly favored an alliance with Prussia, but not a federation. Forty two members, more than one-third, of the Second Chamber "denounced the dismemberment of Germany into North and South and rejected all thoughts of a Southern Confederation, demanding rather a united Fatherland with a common parliament and a common head."[5] They asked that Bavaria seek admission into the North German Confederation as soon as possible, but that in the meantime a close alliance be established with Prussia, the Tariff Parliament be continued and developed, and that if German territory should be threatened, the army be put under the control of the king of Prussia. The majority were more conservative. They feared that Bavaria's constitutional freedom might be jeopardized by joining the Confederation before its constitution was agreed upon. The First Chamber, as was natural, was anti-Prussian in feeling. The nobility feared the loss of the independence of Bavaria and the consequent loss of their own prestige. No difficulty was met with, however, in securing the approval of the treaty and of the loan necessary to pay the indemnity.

The treaty was approved by many who would bitterly oppose any

4. Sybel, Founding of the German Empire, V, 453.
5. " " " " V, 521-522.

attempt to unite with Prussia. It was as a measure of safety for Bavaria that they had voted for it. The Ultramontanes complained because Austria had been expelled from Germany and the Fatherland had been dismembered. The people of Würtemberg rais ed again the watchwords of I849."Everywhere were sounded the praises of the Constitution(of I849) ---- and the highly prized fundamental rights therein granted;yet with equal zeal the federative independence of each individual German race and state was demanded."[6]

Provincial characteristics,also,caused bitter feeling between the sections. The blustering,boastful Prussian was particularly distasteful to the South German who,in his turn,believed himself to be of the only pure German stock and his country to have been the cradle of the German people.[7]

Although this feeling between the sections grew in some classes to almost bitter hatred and uncompromising hostility, many circumstances conspired to bring them to a ready acquiescence to the treaty of peace as well as that of offense and defense. These circumstances were the growing strength of Prussia as contrasted with the weakness of Austria,the long-continued agitation for national unity,and the community of interests with Prussia rather than with Austria.

Two classes of statesmen dominated the politics of South Germany. One class wanted a federation of all German-speaking people which,of course,included the northern and western provinces of Austria. It was even suggested just before the war of I866 that the old German Empire be revived under the leadership of the House of

6.Sybel,Founding of the German Empire,VI,7.
7. " " " " VI,9.

Hapsburg.[8] That this was utterly out of the question was settled at.Königgratz. The reactionary policy of Austria had turned the eyes of all lovers of freedom and of German unity in another direction. Her weakness was further accentuated by the presence of heterogeneous,non-German elements in her population with their accompanying discordant interests and ideals. On the other hand Prussia had been growing stronger daily,and was now giving evidence of ability to compete with France as well as with Austria.

Another class wished to exclude Austria from the federation and to rely wholly upon Prussia. Bonds of common interest served to unite,more firmly than they knew,SouthGermany toPrussia.There was a common language,literature,and history,cogent factors for union in times of crisis. More powerful than any of these were the trade relations between the two sections. Since I8I8 there had existed between the South German states and Prussia a trade agreement known as the Customs Union,or Zollverein. Among all the confusion of political upheaval the Zollverein had become more desireable, and more and more firmly fixed in the life of the people. Under it the trade of Germany,both domestic and foreign, had grown rapidly, and communication and intercourse had developed a bond that the severest stress of political difference had failed to loosen. It was especially necessary that South Germany retain the market offered by the thirty millions of Noth Germans. If Prussia had desired to exclude the Southern States from these advantages there would have been a great outcry and a powerful incentive to seek a permanent union.[9]

This tendency toward union was not a thing of short life.Since the dismemberment of the Empire by Napoleon there had been frequent outbursts of national feeling. These outbursts had culminated in

8.Hohenlohe,Memoirs,I,177.
9. " " I,169.

the revolutionary attempts of I848-9. At this time,when the outlook was so propitious, visionary theorists let the favorable moment pass in "idiotic,futile prattle." Plan after plan was proposed as a solution of the problem only to be rejected by the controlling powers,or to be cast aside as impracticable. In June,I848, a "Provisory Central Executive for all general affairs of the German nation" was constituted "until such time as a Paramount Executive should be definitely established." [10] Hohenlohe had been sent to Rome,Athens,and Florence as a minister representing the German nation. The German residents of these cities were delighted at this evidence of the movement toward unification in the Fatherland.[11]

Another plan much favored by Bavarian statesmen was the"Triad." This was to be a federation of the middle German states under the leadership of Bavaria. By a combination with Prussia and Austria the German Confederation would be formed. Both Austria and Prussia opposed this course,and the kings of Saxony, Würtemberg,and Hanover refused to yield supremacy to the king of Bavaria. Opposition developed within Bavaria on the part of the Democratic party which asked either the hegemony of Prussia or the establishment of a re-

10.Hohenlohe,Memoirs,I,46.
11. " " I,49.

Prince Chlodwig of Hohenlohe-Schillingfuerst was a strong advocate of national union. During the revolution of I848-49 he was sent as a representative of the National party to Rome and Athens. Early in I867 he became Minister of Foreign Affair and Prime Minister of the Bavarian cabinet. Throughout his administration he tried plan after plan hoping to bring about unity. He gave way to Bray in I870,but was a powerful factor in securing the union of that year. In I894 he followed Count Caprivi as Imperial Chancellor which office he retained until I900.

public.[12]

Three possibilities remained to the Bavarian government after 1866. It might form a confederation with the remaining states of South Germany as was suggested in the treaty of Prague;no sentiment favoring such a solution could be found in any of the states. Or Bavaria might try to stand alone,in which case there would be constant danger of encroachment by the strong neighboring powers. The only way out of the difficulty seemed to lie in a union with a strong power whose interests were similar. Such a power was Prussia.

Although there had been much dissatisfaction with the aggressions of Prussia under Bismarck,there had been some reluctance to join Austria in the war of 1866. The Bavarians had asked themselves what quarrel they had with Prussia and why they should go to war for Augustenberg.[13]

Now that Bismarck's policy had been so successful in regard to Austria,the South Germans gravely considered what his attitude would be towards them. From his own statements it is known that Bismarck,although a definite plan was lacking,had in mind a general outline of what he desired to accomplish with respect to South Germany. First,North Germany must assimilate the conquered provinces and make the North German Confederation a strong power.Second, the South German states must be made capable of defense that they might not be tempting prizes to foreign powers and thus embroil Prussia. Lastly, he must use every means to conciliate foreign powers in order that they might permit the peaceful incorporation of the conquered provinces in the Confederation that he had planned.[14]

12.Hohenlohe,Memoirs,I,136.
13. " " I,151.
14.Sybel,Founding of the German Empire,V,318.

There is no doubt that Bismarck was unwilling to have Bavaria join the Confederation immediately.[15] The heterogeneous elements of the South German population would,in the present state of affairs,be only a hindrance to the consolidation of the states north of the Main. The hostility of Hanover and of Saxony must be overcome first, and the Constitution of the North German Confederation must be formed and ratified before there could be any question of further territorial addition with its added burdens. It would be much easier to fortify South Germany and to drill and equip its army without exciting the hostility of France than if the fortresses and arry were a part of North Germany. At the same time he did not want South Germany to lean on any foreign power.[16] As he said to Suckow, chief of staff of Würtemberg, "for the calculating politician what is necessary takes precedence of that which is desirable ----." His notion was that if the South German representatives sat with those from the North in the Customs Parliament for a few years, that the former would lose their antagonism and develop a conciliatory spirit,and that they would discover that he had no desire to compel them to enter the Confederation.[17]

Miquel stated Bismarck's position well when he said in the Reichstag in March,1867,that "The line of the Main, we admit is but a stopping place at which to take on coal and water,to take breath before going farther,"[18] but during the halt Bismarck hoped for many changes. He restrained King William's desire to take Upper Franconia from Bavaria for he knew that such a humiliation as the loss of territory would always be a source of irrita-

15.Hohenlohe,Memoirs,I,187,184.
16. " " I, 187.
17.Sybel,Founding of the German Empire,VI,436.
18. " " VI,71.

tion and would prevent any possibility of a peaceable union for a long time.[19] That he hoped to be able to bring about this union at some time is shown by the draft of an agreement with Benedetti in July,1866,in which the Emperor Napoleon is to bind himself not to oppose a union of the North German Confederation with the South German States and the establishment of a common parliament.[20]

During the years between 1866 and 1870 the sentiment for union kept increasing. The Customs Union played no small part in drawing the sections together,not only in the matter of creating a community of interests but in furnishing a basis for discussion and an opportunity for intercourse: starting points from which to reach out toward the much desired unity. Bavaria advanced through its new minister,Hohenlohe,a plan by which many important matters including customs and commerce,indirect taxes for Federal purposes, consular affairs,the banking system,coinage,and weights and measures should be in charge of a legislative body representing all Germany. The fault with the plan was that the legislature of every state must approve each measure.[21] This inclusion of the old liberum veto by so ardent an advocate of union as Hohenlohe seems strange. It was a vestige of the spirit that had prevented union for so long. The South German States did not want to yield any rights to Prussia or to any other state. It was particularism versus nationalism,and the danger of a great crisis was necessary to overcome their particularistic tendencies.

Although Hohenlohe's plan was rejected by Bismarck,the Customs Union continued as a reminder of the dependence of each section upon the other.

As another step in the direction of union,South Hesse asked to

19.Sybel,Founding of the German Empire,V,451.
20.Headlam,Bismarck,281.
21.Sybel,sup.cit.VI,267-8;Hohenlohe,I,180.

be admitted into the North German Confederation,since the part of Hesse north of the Main already belonged to it. Bismarck replied that before he gave an answer he must confer with Austria and inquire of Bavaria if it would injure her interests. What shows his permanent policy more than all is his declaration that Hesse must take the first step. This movement on the part of Hesse led to a spirited discussion in the Reichstag. Democrats, Ultramontanes, and a few Particularists offered resolutions which permitted any former member of the German Confederation to join the North German Confederation by accepting its constitution,without requiring a special treaty.The National Liberals,on the other hand,desired to keep in the hands of Prussia the power to admit or reject any offer of union.[22]

The Grand Duke of Baden in his speech from the throne of September 5,1867,said, "It is my firm resolution to do everything within my power to realize this union;and I, as well as my faithful people, am prepared to make those sacrifices which are unavoidably associated with such a step."[23] Bavaria must have been greatly influenced by these movements in neighboring states.

The Bavarian statesmen were very reluctant to give up any of the state's independence by entering the Confederation,but the very fact that Prince Hohenlohe, a known friend of Prussia and an advocate of the Prussian alliance, could be made prime minister less than six months after Königgratz shows that the feeling for unity and the desire to ally themselves with Prussia must have been strong. Bavaria did not feel able to bear the responsibility

22.Sybel,Founding of the German Empire,VI,188-189.
23. " " " " VI,242.

incurred by isolation, and for that reason we find these faltering advances. The history of Belgium and of Luxembourg showed the danger of continued isolation. Yet Bavaria was unwilling to take the final step which would lead to union. The Bavarian government fondly hoped that the way might be prepared for a constitutional league with the other states of Germany in which the independence and sovereign rights of the state would be preserved.[24]

Hohenlohe warned King Ludwig that the continuance of the prevailing state of affairs threatened the kingdom with a double danger:

"(I).Any European complication, however favorably it might result for one or the other of the Great Powers, might prove the greatest danger to the existence and independence of Bavaria, should Germany be involved in it.

(2).The aspirations of the German people to realize their national ideal, even against the will of their Governments,might lead to internal struggles which would threaten the dynasty.

It must therefore be the task of the Government:

(I).To conclude alliances, by which the danger of European complications would be averted.

(2).To strive for the formulation of a national union of Germany which would satisfy the legitimate demands of the nation without infringing on the sovereign rights of your Majesty or the integrity of Bavaria."[25]

In his efforts to attain the desired goal Hohenlohe proposed many measures which the other South German States refused to accept, but the general direction of the movement was toward union, and the total effect was to bring it nearer. As an example of the

24.Hohenlohe,Memoirs,I,I86.
25. " " I,20I.

many different plans promulgated, he sent Tauffkirchen to Vienna and to Berlin with instructions to try to remove all obstacles which prevented a union of Prussia and Austria, to arrange an alliance between these two powers with regard to the Luxembourg question, to enter into the same on the part of Bavaria, and to secure favorable conditions for opening negotiations with Prussia concerning the position of the South German States in relation to the North German Confederation.[26]

Although Bismarck favored Tauffkirchen's proposal, Austria refused to accept it.

Hohenlohe in connection with Würtemberg's ministers drew up another scheme of federation known as the "Ministerial Declaration." The proposed federation was to consist of Bavaria, Würtemberg, Baden, South Hesse, and the North German Confederation. There is nothing of importance in the declaration itself aside from the facts that Hohenlohe was trying to find some plan acceptable to all parties and that Würtemberg was working with him.[27] Baden disapproved of the plan offered as did Bismarck. The latter's answer to the proposal contained some significant features indicative of his policy in regard to the matter under consideration. He said that Prussia desired a further confederation with the South German States but "for this confederation----there must be found a form of simple agreement upon ordinary business, not merely upon such as was to be foreseen far ahead."[28] That is, Bismarck thought that the formation of this confederation should be the work of practical men, not of theoretical dreamers.

26. Hohenlohe, Memoirs, I, 215
27. " " I, 217-18.
28. " " I, 220.

King William in his speech from the throne in February,1867, laid down a basis of agreement to which all could subscribe and which disarmed all fear of aggression by Prussia. He said that the question of the confederation had been left open by the treaty of peace of the previous year,and that as soon as the North German Constitution was in a position such that treaties might be concluded the hand of Prussia would be held out frankly and willing to South Germany. He believed that the basis for the agreement between the two sections should be the maintenance of the Zollverein,the common administration of domestic affairs,and the measures necessary for securing the integrity of German territory.[29]

Another factor in the movement toward union,second in importance only to the Customs Parliament,was the series of military conventions between Prussia and the South German States. Prince Hohenlohe had called the three other states to a conference at Stuttgart early in February,1867. An agreement was readily reached in regard to the army footing in time of war and in time of peace, the length of service, the size of the respective divisions,and the proportional strength of the three arms of the service. As far as possible uniform weapons were to be used. All of these things Prussia had long tried in vain to secure. If this plan should meet the favor of the different states,it would mean that Bavaria as the most powerful,would assume the leadership and in time of war would ally the joint army with that of Prussia,maintaining independence in its control.[30]

Any hopes that Bavaria had based upon this conference at Stuttgart were doomed to disappointment. The smaller South German States

29.Hohenlohe,Memoirs,I,202(note).
30.Sybel,Founding of the German Empire,VI,252.

preferred a military combination with Prussia rather than with Bavaria. Almost immediately after the close of the conference Baden adopted the Prussian needle-gun. This adoption compelled the introduction of the Prussian drill system and the use of Prussian army officers as instructors. Early in April Hesse-Darmstadt united with Prussia in a military convention by which the entire Hessian Division became a part of the Prussian army.[31] The greatest surprise, however,came when Würtemburg adopted the Prussian weapon and drill regulations. Here theking,the ministry,and a majority of the Chambers were opposed to Prussia,but because of the report handed to the king by Suckow,then a young major of the General Staff,upon the condition of the army,they were willing to grant his request that the Prussian system should be used.[32] In this way Bavaria was left in complete isolation.

The opposition in Prussia was yet very strong and the friends of union seemed little nearer their goal than after Königgratz. The Prussian king and his associates feared the loss of Prussian domination and the growth of democracy. To them the individuality of Prussia was more important than the union of Germany. The South, on the other hand,was very sensitive to every move of Bismarck and the National Liberals. Anything that could be construed as an attempt to coerce them,or to place restrictions upon them,aroused a storm of protest and a flood of condemnatory pamphlets. The South was further divided into many conflicting parties. The Ultramontanes favored Austria,the Republicans were opposed to any monarchical form of government,and another group longed for the days of the

31.Sybel,Founding of the German Empire,VI,256.
32. " " " " VI,259-64.

former German Confederation. All three were opposed to a union with North Germany.

This opposition was after all merely the superficial effervescence of party strife common to all countries that are passing through a stage of transition. Although it was powerful enough to prevent the union of North and South Germany in time of peace, it needed but the blare of trumpets and the roll of drum to disperse it in time of crisis.

The real feeling of the German people was displayed when Prussia seemed on the point of going to war with France over Luxembourg in I867. It was not yet a year since the Prussians had defeated the Bavarian army and humiliated its government,yet feeling ran high in all sections of Germany. Resolutions supporting Prussia in its stand were drawn up in popular assemblies or adopted by Chambers patriotically inclined. It was repeated time and again that the whole German race would move to resist the encroachments of France.[33] King Ludwig declared that he considered the situation as coming under the clause of the treaty of offense and defense which stated that the contracting parties would go to the aid of each other when attacked or threatened by an enemy. This meant that the Bavarian army would support that of Prussia,should Prussia and France come to blows.

A similar demonstration took place when the Ems dispatch became known throughout Germany. Sybel says "----now a like flood of national enthusiasm swept in mighty waves over South Germany also; before a musket shot had been fired Gramont's audacious proceeding had brought about that which Napoleon had used all his ingenuity to prevent,the unification of the German nation,the extension of

33.Sybel,Founding of the German Empire,VI,I45.

the German Confederation to the Alps. In Baden the people and the government spoke as a single voice; in Würtemberg and Bavaria the anti-Prussian Democrats and Ultramontanes suddenly found themselves to be in an alarming minority; through every province rang the enthusiastic call, "To arms!"[34] Bray told the French minister that France would find all Germany in opposition should a war arise.

The Crown Prince of Prussia made a tour of the Southern States in the latter part of July, I870, to arouse the martial spirit of the people.[36] Ultramontane and Democratic newspapers that violently opposed the war were seized.[37] A national demonstration was called in Munich by King Ludwig. Another in Nuremberg made a declaration that on account of the war with France they would bind themselves solidly on the side of the rest of the German people, that since the Bavarian government had already called out the full military strength of the country to defend the common Fatherland, they expected their representatives to carry on the war as energetically as possible, and they expected every possible sacrifice from their citizens in order that "the unchangeableness and invulnerability of the German land" might be maintained.[38]

The explanation for this reversal of sentiment is well given by Sepp. He was a representative in the Bavarian Second Chamber who had consistently opposed war and aided the party that favored armed neutrality. When he heard of the French declaration of war he joined the war party. Rising to explain his vote he said that the day before he had written out a speech in favor of armed neu-

34. Sybel, Founding of the German Empire, VII, 40I.
35. " " " " VII, 40I.
36. Hohenlohe, Memoirs, II, I5.
37. Schulthess, Geschichts-kalendar, I870, I96.
38. " " " " I97.

trality. "But----yesterday and today are separated by a decade of ordinary events;since then the French declaration of war has been received; the king of Prussia in his speech from the throne takes our support for granted; who today is inclined to ask for the cause of the war? Yesterday the woes of 1866 were still remembered; today wrath against France is preeminently in the heart of every German. In the battle of Leipzig we Bavarians took no part; in the new battle of the nations we want to do our share."[39]

The Bavarian government responded quickly to the martial spirit of the people. The full strength of the army was put under the command of the king of Prussia,the Chambers voted the necessary supplies,and the soldiers were hurried to the frontiers.

The future of German unity would be greatly influenced by the conduct of these soldiers. If they proved to be incompetent, their government would be humiliated; but if they proved valorous, the Bavarian people would demand more rights before they would give up their independence.

39.Sybel,Founding of the German Empire,VII,446.

King Ludwig declared that the casus foederis was given. Some of the Chambers proposed armed neutrality but were soon voted down -Kobell-King Ludwig II and Prince Bismarck,3,5,19.

Up to the outbreak of the Franco-Prussian war Bismarck,as we have seen,did little in a direct way to hasten the union of South Germany with the North German Confederation. Having secured the treaty of offense and defense with Bavaria in I866 he permitted events to take their natural course,no doubt feeling sure that a successful amalgamation of the different states that were included in the North German Confederation and the establishment of a strong government there combined with the national feeling prevailing throughout Germany would do more to bring about unity than coercion or interference on his part. However,since the war with France had begun, and was now being successfully concluded, events moved rapidly toward a united Germany. What part Bismarck played in bringing about this union it is the purpose of the following pages to trace.

There are diverse opinions as to the part Bismarck had in the final union of all the German states. Some would have it that he had foreseen all the occurrences of I870 and had deftly laid his plans which he forced to a successful conclusion in November. Others think that without attempting beforehand to bring about the desired condition of affairs he carefully watched every event of that year and made use of it to further his wish for union. No doubt Bismarck had as a goal the unification of Germany whenever the time was ripe, and no doubt he molded events as far as he could to bring this desire to pass, but it is improbable that he foresaw the succession of events by which union finally came. It is a measure of statesmanship not to anticipate events but to turn them to advantage.

A few of Bismarck's acts and remarks are capable of being construed as evidence of his having planned the break with France. In

April,1870, he is quoted as saying that things could not remain as they were but that another step was necessary. This further step he probably considered to be war, for he said he was preparing to wage "not one war , but four," and that Prussia was able to carry them out successfully.40 His close associates believed that he was more deeply implicated in the Spanish candidature than he acknowledged.41 The precise object that he had in mind will probably never be known. Then, too, his paraphrase of the Ems dispatch clearly shows that he was more than willing, if not positively anxious, for war with France.

Most of the evidence, however, tends to show that Bismarck was willing to wait for the completion of German unity. He undoubtedly wanted the South German States to join the North German Confederation, but he was willing to allow time to work changes in the sentiments of the people. He did not want to give them a chance to say that they had been forced into the union. It took patience and an uncommon amount of skill to avoid trouble with the progressive element in his own party. The Crown Prince opposed Bismarck in this waiting program for he wished to force the negotiations through and to bring about the Empire in a twinkling without any regard to the South German leaders.42 King William and his military associates wished to prevent any loss of Prussian domination. They also preferred the Reichstag to a federated parliament. They wished a permanent treaty with the South,accord in foreign politics, and Prussian control of South German troops. Both the Prussian lords

40.Hohenlohe,Memoirs,II,6.
41.Busch,Bismarck:Some Secret Pages from His History,I,13.
42.Brandenburg,Der Eintritt der Suddeutschen Staaten in de Norddeutschen Bund,9-10.

and the South German princes wished to avoid any strengthening of democracy either by changing the Constitution to liberal sentiments or by allowing a people's representative to present the crown to William. This was the platform of the Conservative party in the main. Bismarck did not favor peace at any price as did the king and the Conservatives, nor did he go as far in the direction of rapid action as did the Crown Prince and his party. Yet the king was a factor that he could not ignore, and Bismarck knew well how far he could go with him.[43]

It was probably due to the pacific nature of the king that Bismarck could so patiently wait for the fulfilment of German unity. He said that the development of Germany might take thirty years.[44] "Should Germany attain its national object before the close of the nineteenth century," he told Suckow, "I should deem it a great achievement; and should it be consummated within ten or even five years,it would be extraordinary, an unexpected gift of God."[45] At another time he remarked somewhat petulantly in Busch's presence that it was a pity that the people of Baden could not wait for German unity, that they were approaching their goal, but that it would require "one year, perhaps, or five, or,indeed, possibly even ten years."[46] To the repeated offers of Baden to enter the North German Confederation Bismarck replied that, although such a combination was his ultimate aim, he did not wish to see it brought about until all the Southern States, wholly free from outside influences, should eagerly desire it. He would perhaps

43.Brandenburg,sup.cit.,II.
44.Hohenlohe,Memoirs,I,319.
45.Sybel,Founding of the German Empire,VI,436.
46.Busch,sup.cit.,I,3.

have welcomed Bavaria into the Confederation, even though alone, but Baden with its long frontage on France would make the task of defense a serious one. Moreover, to admit Baden alone would probably cause Würtemberg and Bavaria to seek the protection of Austria, and would give France a pretext for war.[47]

Bismarck desired a united Germany, powerful and strong, and he wished to avoid any movement that would prevent the attainment of his desires. By pressure he might have been able to bring about the union more quickly, but it would have been at the expense of the strength of the nation. He preferred to wait rather than to lack strength.[48]

Bavaria had changed little in its attitude toward union since the treaty of offense and defense. It still opposed any encroachment upon its independence, yet it knew it could not remain isolated without serious loss. Since a union would compel the different states to surrender some of their sovereignty, the Bavarian government wished to form a federation in which each state would retain these rights. Some of this delay must have been due to the fact that the Bavarian statesmen knew that such a loss was inevitable and disliked to accept the blame for it. This was not true of Hohenlohe, but having disagreed with his colleagues in the ministry he gave to Bray who favored union less strongly.

47.Sybel,Founding of the German Empire,VII,222.
48.Stolze,Die Gründing des deutschen Reichs im Jahre 1870, page 79.

The Count of Bray-Steinburg,(1807-1899) was born and educated in Berlin. He early entered the diplomatic service of Bavaria. He was successively Councilor of Legation at St.Petersburg and at Paris, ambassador to Greece, Russia, and Minister of Foreign Affairs. In 1870 upon the resignation of Prince Hohenlohe, Bray became Minister of Foreign Affairs and Prime Minister of the Bavarian Cabinet. During his tenure of office the Franco-Prussian war was fought and the German Empire was formed.

It was this halting,uncertain, confused policy that was dominating Bavarian opinion when the Franco-Prussian war began. Just how the change came about is difficult to discover, and the contradictory movements of the king and his cabinet cannot be easily explaine It may be that the Bavarian government halted between its own desires and the desires of the people which were now beginning to make themselves felt.

There is no doubt that a great impetus for union set in after the fall of Sedan, and that a wave of enthusiasm swept over all Germany. This is especially true of the Bavarian soldiers. King Ludwig, as usual, either in advance of popular opinion or far behind it,this time lagged behind his people. While his troops were yet under the command of Prussia he had asked guaranties that no attempt to lessen Bavarian sovereignty would be made during the war. In the celebration over the victory at Sedan he had forbidden the display of any other flag than the Bavarian and had left Munich in anger in the midst of the general rejoicing. Prime Minister Bray had sought as a reward for supporting Prussia a revision, favorable to Bavaria, of the treaty of offense and defense and of the Customs Union treaty. He had specifically asked for Bavaria the veto power in concluding Zollverein rates.[49] He even contemplated the recall of Bavarian troops now that all danger of French aggression had passed.[50]

Notwithstanding these childish actions of the king and his minister, a few days after the fall of Sedan the Bavarian government had taken the decisive step toward opening negotiations with

49.Brandenburg,sup.cit.,I5.
50. " " I6.

with the North German Confederation. September IO, Bavaria asked Bismarck to send Delbrück, presiding officer of the Reichstag, to Munich in order that they might discuss with him the feasibility of changing the existing international treaty to a Federated Constitution.[5I] This quick change of sentiment seems to have been due to the easily aroused public opinion which found stormy expression in the press, in the assemblies, and in petitions. Any one familiar with the revolutionary days of I848 might well fear for the Bavarian dynasty, if it should oppose this universal tendency.

Whether public opinion alone was sufficient to bring about the change in the government cannot be determined. Two other events may have contributed their influence. It seems that Bismarck sent King John of Saxony a warning that he should not follow the recalcitrant Bavaria in opposition to union. Secondly, Würtemberg had made friendly advances to Prussia by granting an order to King William. Of more significance than the decoration of the king with the order was the fact that Suckow, the earnest advocate of union, was selected to present it to King William. Würtemberg seemed ready to join the North German Confederation.[52] Undoubtedly the knowledge of these two facts accelerated, at least, the actions of the government at Munich.

5I. Brandenburg, Briefe und Aktenstücke, I, Nr.30.
52. " " " I, Nr.35.

Delbrück was educated in Halle, Bonn, and Berlin. He entered the Prussian Bureau of Commerce and in I859 became director of the Department of Commerce and Industry in which position he consolidated the Zollverein. In I867 he became president of the Reichstag, in I868 a Prussian Minister of State. He was one of Bismarck's firmest adherents, and on a diplomatic mission through the South German States and as negotiator at Versailles he strongly supported Bismarck's policy and was instrumental in bringing about the treaties of November at Versailles.

Bavaria's request reached the Prussian headquarters at Rheims, September I2, and with all possible speed Delbrück started for Munich. Würtemberg asked to be permitted to take part in the conference and sent Mittnacht as her representative. Mittnacht,who favored union with Prussia, had taken the place of Varnbüler, its bitter opponent. He wanted to learn the views of Bavaria and of Prussia without making any binding agreement with them.[53]

When the conference met, September 22, Würtemberg's evident desire to enter into negotiations in regard to union with Prussia contrasted plainly with Bavaria's plan of a looser organization. Bavarian statesmen were not content to enter into a union with North Germany with special rights reserved to them. If it were impossible to found a loose union by the removal of the North German Confederation, then they hoped to secure a wider union beside the narrower. That is, North Germany and all the states that would become subordinate to her constitution,,Baden, South Hesse, and perhaps eventyally Würtemberg, would form the narrow union. To this union Bavaria would be an ally. The first question to be determined was whether Prussia would consider a modification of the constitution; if not, then Bavaria must hold for the wider Federation, "an organic union with the Confederation but not an entrance into the same." On this point Baxaria tried above all things to get a declaration from Delbrück.[54]

Delbrück and Bismarck on the Prussian side and Mittnacht for Würtemberg came to the same conclusion: that the only method of entrance into the existing union was under promise of special

53.Brandenburg,Briefe und Aktenstücke,I,Nr.37.
Kobell,sup.cit.,25; Stolze,sup.cit.,II3; Brandenburg,I8
54.Brandenburg,sup.cit.,I9.
Stolze,sup.cit.,I54.

rights in certain points. Delbrück could not consider a remodeling of the North German Constitution. Only the wider Federation, or direct union, was left to Bavaria. It looked as if the conference would break up without result. The Bavarian ministers tried to make Prussia assume the role of making demands, but Delbrück did not mean to give Bavaria the opportunity to lay the responsibility for failure in the negotiations upon Prussia. He had gone to Munich under orders from Bismarck to hear and to discuss Bavaria's desires and propositions, not to state a definite Prussian policy in regard to union.[55]

It is probable that Mittnacht made the proposal that they discuss the question of a wider federation in order that the views of the different parties might be learned. In this discussion it was seen that Prussia and Würtemberg were better prepared to discuss the questions proposed than Bavaria. The Bavarian ministers could not agree among themselves upon what course to pursue, and argued vehemently in the presence of Mittnacht and Delbrück and showed, without meaning to do so, the hopeless confusion of their government, and their utter lack of a definite plan.[56]

Among the subjects proposed by Bavaria for consideration, the following were the most important:

I. Legislation concerning the relations between the mother country and colonies, citizenship, and industry should be reserved to the individual states.

2. The right of appointment of their own consuls to foreign countries and the reception of foreign consuls in Bavarian territory should be retained.

3. Bavaria asked for the independence of its railways; except that the establishment of rules for the construction of the

55. Brandenburg, sup. cit., 20-21
56. " 21-22.

more important military roads and the proper construction of such roads as were necessary for the protection of common territory should be permitted to the Confederation.

4. In the same way the post and telegraph systems were to be independent.

5. Bavaria raised the question of establishing reciprocal legal aid in criminal matters.

6. Bavaria wished to allow common legislation by the Confederation only in matters concerning commercial law.

7. Bavaria asked eight votes in the Bundesrat instead of the six held in the Zoll Parliament.

8. Bavaria was to have permanent seats in the commitee on land forces and forts, on customs and imposts, on industry and commerce.

9. Bavaria asked a closer definition of the duty and competence of the committees of the Bundesrat.

IO. The presiding officer of the North German Confederation should not welcome foreign ministers, but this should be done by the representatives of the North German Confederation combined with those of South Germany.

II. The consent of the Bundesrat must be secured for every declaration of war (except in case of aggression upon territory of the Confederation) and it should be the presiding officer's duty to inform them of previous attempts at negotiation.

I2. It should be a part of the Constitution that a Bavarian representative should always sit in the peace negotiations.

I3. The states of the Confederation should retain the right to conclude treaties, especially those that did not touch

the interests of the Confederation.

I4. In case Prussia should be prevented Bavaria should have the right to preside in the Bundesrat.

I5. Legislation of the Confederation on imposts, on malt liquors and spirits should not be extended to Bavaria.

I6. The navy should belong exclusively to the North German Confederation and in such case the South German States should not contribute to its financial support.

I7. Bavaria held firmly to the control of its own army under its own generals in time of peace, but subordination to the generals of the Confederation was to be granted in time of war.

I8. Bavaria refused to acknowledge the competence of the Bundesrat and Bund legislation over constitutional differences between the states.

I9. Similarly, Bavaria could not recognize the interference of the Bundesrat or of Bund legislation in the denial of justice.

20. Lastly, Bavaria wished and absolute veto against any extension of the power of the Bund and against all changes in the Constitution which touched her right to vote or her separate existence.[57]

Mittnacht agreed to many of the propositions of Bavaria, but he opposed limitation of the competence of the Bund, eight votes for Bavaria in the Bundesrat, permanent positions for Bavaria on the committees, instead of which he proposed alternation of representa

57. Brandenburg, sup.cit., 23-25.
" Briefe und Aktenstücke, I, Nr.47.
Stolze, sup.cit., I57-I59.

tives; he pointed that the international character of the representation through the president of the Bund was essential; he said the power of a single state to veto constitutional changes would hinder progress, and even urged the extension of Bund legislation over press and union matters; he asked that committees be made up with four states besides the president.[58]

Delbrück favored, either positively or tacitly, the railway proposition, committees, independent treaty rights, and Bavarian vice-presidency of the Bundesrat. On many matters he expressed no opinion. He absolutely refused the eight votes of Bavaria in the Bundesrat, the separation of Bavaria from the Bund's diplomatic representatives, the limitation of the navy to the North German States, and the power of veto. He said that legislation concerning industry and citizenship should be under control of the union, and that the appointment of foreign consuls should be matters for the Bund to settle; further that the regulation of the relations of the post to the public, the establishment of post taxes, and the conclusion of postal treaties with foreign countries should be through the Bund.[59]

It had not been the intention to vote upon the matters discussed, nor were any definite conclusions reached; yet all the participants in the conference felt satisfied with the results. Delbrück said as he left Munich,"the German union is assured." He thought that the disputed points could be settled satisfactorily. Mittnacht said, "I return to Stuttgart pleased with the course of the discussion as a suitable foundation and not doubtful of the final success of

58.Brandenburg,sup.cit.,25-26.
59. " 26-27.

the work." Count Bray wrote,"All in all, one can point to the course of the Munich discussion as favorable."[60]

Among historians not so favorable a view is held. Lorenz says the conference meant nothing toward furthering union; Von Ruville thinks a backward step was taken; and Küntzel declares that Bismarck and Würtemberg dominated the discussions.[61]

It is difficult to find a basis upon which these men founded their opinions. The aim of the conference was to secure information, solely. They wished to measure the gap that separated them. The discussion of the protocol proposed by Bavaria enabled them to compare views and to determine whether there was any chance for agreement, or whether the whole plan of union must be abandoned. Prussia and Würtemberg were not wholly agreed, yet they both opposed some of the weightiest demands of Bavaria. The Bavarian statesmen had, no doubt, asked more than they expected to get and were willing to yield some points. That Bismarck considered the conference valuable is shown by the satisfaction with which Delbrück was received upon his return to Prussian headquarters.[62]

While Suckow was in Versailles presenting the order to King William, Bismarck told him that any messenger from Würtemberg with power to open negotiations would be gladly received, and he further extended a personal invitation to King Karl himself to come to Versailles. On his return to Stuttgart, however, Suckow found the king somewhat cooler in his attitude toward the proposition, whether from the influence of the Bavarian minister or because Suckow brought no prospect of enlarging the territory of Würtemberg is not.

60.Brandenburg,Briefe und Aktenstücke,I,Nr.66.
Stolze,sup.cit.,161-162;Brandenburg,Der Eintritt,27-28.
61.Brandenburg,Der Eintritt,28-29.
62. " " " 29-30.

known. At any rate the king would not go to Versailles, but the ministry decided to send a letter to Bismarck saying that Mittnacht and Suckow were ready to go to headquarters to open negotiations with him. In this manner the Versailles conference was opened.[63]

It is difficult to determine to whom belongs the honor of giving this new impetus to the negotiations for union. Bismarck after receiving Delbrück's report of the Munich conference informed Baden that her offer to join the North German Confederation would now be received with pleasure. Accordingly it was sent out on the 3rd of October and reached Berlin two days later.[64] The letter of the Würtemberg ministry was sent on the 7th of the same month. It is probable that neither had heard of the action of the other. Nor is it important that we know which played the leading part. The time was ripe for further negotiations and the offer to open the discussion would have been made, inevitably, by some one of the South German States.

In reply to the letter from the Stuttgart ministry Bismarck said he awaited the arrival of the envoys with the liveliest interest. He informed them that Baden, also, would send representatives. Mittnacht was so anxious that Bavaria participate in the discussion that Suckow, with the consent of the king and the ministry, telegraphed to Bismarck to ask whether Bavaria had been invited. It is clear that he had not done so, but upon receipt of Suckow's telegram Bismarck telegraphed to Munich asking whether Bavaria would send representatives to Versailles or whether they awaited the return of Delbrück to Munich. When he informed the Stuttgart court of what he had

63.Brandenburg,Briefe und Aktenstücke,I,Nr.70.
" Der Eintritt,32; Stolze,sup.cit.,I83.
64.Stolze,sup.cit.,I79; Brandenburg,Der Eintritt,3I.

done Mittnacht declared that he preferred to open negotiations at Versailles rather than to return to Munich.[65]

The invitation was a surprise to the Bavarian government and caught the ministers unprepared. After vain attempts to get their king to go to Versailles Bray, Pranck, and Lutz set out for that place on the 20th of October.[66] Their plans were just as chaotic as at the Munich conference. They were not at all clear as to the details of the future German Constitution, nor were the different ministers acquainted with the plans of each other. Hohenlohe accuses them of being willing to sacrifice the dynasty in order to gratify the North German Confederation and to retain their posts under the new Confederation. He also says that Ludwig would grant anything asked of him, provided he was left alone.[67]

To avoid protracted debates and petty quarrels Bismarck carried on the discussions with the different states in separate conferences. He probably knew that important concessions must be made to Bavaria, and he hoped to bind the other states before concluding with Bavaria.[68]

Negotiations were hampered at every step by the vague instructions given to the Bavarian envoys. It appears evident that they were told to maintain as far as possible the independence of Bavaria. That was the extent of the instructions they carried withthem.

65. Brandenburg, Der Eintritt, 33; Stolze, sup. cit., I83.
66. Schulthess Geschichts-kalendar, I870, 2I7.
67. Hohenlohe, Memoirs, II, 26; Brandenburg, Der Eintritt, 34.
68. Brandenburg, Der Eintritt, 35-38; Briefe und Aktenstücke, II, Nr. I09; Stolze, sup. cit., I86.

Ludwig said when he received Bismarck's invitation to go to Versailles that he well knew that the journey to headquarters would be advisable in many ways and would bring many political advantages that otherwise could not be obtained. He said he felt ill and that since his journey depended upon the desired guaranties of Bavarian independence, it was not his will to go.

Kobell, sup. cit., 36.

Each could interpret them in his own way. For that reason when Delbrück proposed that they confer with the understanding that certain rights be reserved to Bavaria Lutz readily assented. Bray, however, refused to negotiate on such a basis. He said that according to his own opinion they were empowered to discuss only the wider union proposed by Bavaria at Munich.[69] He finally urged that the Confederation be formed without Bavaria and then planned for Bavaria to ally herself with it.[70]

Further complications arose when different instructions were sent to the envoys at Versailles by the ministry at Munich and by the king at Hohenschwangau. Besides the general instructions sent to the ministers, the cabinet secretary, Eisenhart, wrote to Bray, NovemberI, that important territorial enlargement was necessary. The king of Bavaria seemed interested in this part of the matter alone. He hoped for the long desired land bridge between the upper territories on the right bank of the Rhine and the Palatinate on the left bank. Baden could be compensated in Elsass. Of course, since Baden had aided so much in bringing about the union, Bismarck could not permit such a thing as that.[7I] This question of increase of Bavarian territory seems never to have been discussed at Versailles.

Bray's own attempts at negotiation were hopelessly fruitless. He presented to Delbrück what he called his own private plan. He withdrew from the September protocol any claim to limit the competence of the Confederation over territorial and judicial matters,

69.Brandenburg,Der Eintritt,39-40.
70. " Briefe und Aktenstücke,II,Nr.I09.
Bismarck said that instead of three improperly qualified ministers the Bavarian government should have sent one representative prepared to conclude matters and to speak for the government.
7I.Brandenburg.Der Eintritt,42;Briefe und Aktenstücke,II, Nr.II0;Kobell,sup.cit.27;Stolze,sup.cit.,250-252.

but asked in return participation in the nomination and appointment of Imperial officers.[72] At the same time Pranck was holding out with Roon, Prussian minister of war, for the independence of Bavaria in military matters in time of peace. So chagrined was Bismarck at these unacceptable demands that he began to consider seriously a union without Bavaria.[73] Upon asking the Würtemberg ambassadors whether they were prepared to close negotiations without Bavaria he received an affirmative answer.[74] Lutz on his part declared that the propositions of Bray did not express the views of Bavaria.[75]

Bray now changed his tactics. He conceded that the question of the wider union was not now admissable and that, if Bavaria entered the Confederation, it must be with special rights. He tried to get a statement from Bismarck of the conditions under which Bavaria might enter the proposed union.[76] Bismarck was too clever a diplomat to yield a position so favorable as the one he occupied He avoided any written declaration which might be construed as a demand upon Bavaria, whereupon Bray stated his inability to proceed without further instructions.[77]

In the meantime negotiations had been progressing with the remaining South German States. Many wondered why they might not be brought to a conclusion at this time. Bismarck knew that the union must comprise the whole of South Germany to satisfy both the German people and foreign powers. Therefore he delayed action for a

72. Brandenburg, Der Eintritt, 45
73. " Briefe und Aktenstücke, II, Nr. 103.
74. " " " Nr. 108.
75. " Der Eintritt, 48.
76. " " " 49; Stolze, sup. cit., 213.
77 " Briefe und Aktenstücke, II, Nr. 113.

Bray's position was an uncomfortable one at this juncture. The newspapers throughout Germany were bitter in their denunciation of the stand of Bavaria. Only one Ultramontane paper Um

few days that Bray might have time to revise his plans. To prevent the delay attendant upon correspondence he strongly advised the coming of King Ludwig to Versailles.[78]

Bray and his colleagues were now in a difficult position. Should they return to Munich with the report that Würtemberg,Baden and Hesse were to enter the Confederation leaving Bavaria outside, there would be a great outcry in the whole German press against the opposition of the king and his ministers to national development. They could satisfy neither the king in his desire for territory, nor the Ultramontane majority with a suitable recompense for independence, nor public opinion. They must endeavor to retain for Bavaria as much independence as possible. To avoid the stigma of traitors,either to the national cause or to their own state, they must be able to say that they chose the lesser of two evils: either to break off negotiations or to accept the conditions of Bismarck.[79] Bray had never seriously thought of returning to Munich. His letters show that he planned to remain in Versailles more than a week after he had said he must go home for instructions. He evidently was testing Bismarck to see whether he would grant any more concessions.[80] To crown his unhappiness Bismarck would make no demands.

The only alternative left to the Bavarian ministers was to reopen negotiations. This they did on November 8th. The rumor that treaties were about to be concluded with the remaining states hastened their decision.[81]

78.Brandenburg,Briefe und Aktenstücke,II,Nr.124.
79. " Der Eintritt,51-53;Stolze,213,214.
80. " Briefe und Aktenstücke,II,Nr.124,Stolze,235
81. " Der Eintritt,59-61.
upheld the idea of total independence of Bavaria. Stolze thinks that Bismarck had not expected to conclude the treaties with the states'representatives but that a congress of the princes would be called with which he could bargain. Stolze,217passim.

Everything pointed to a speedy conclusion of the union when a new obstacle appeared. Von Gasser, the Bavarian minister at Stuttgart, learned of the proceedings at Versailles. He declared that Bismarck was attempting by falsehood to antagonize Bavaria and Würtemberg. Through his close relations with the Stuttgart court he sought to prevent any action by Würtemberg without Bavaria. The Stuttgart government was taken by surprise; bothof the men favorable to the union were absent, the king was weak and open to the influence of the opposition, and the queen was hostile since all chance to secure the Hohenzollern lands was lost. They feared Bismarck's influence over Suckow and Mittnacht. They also feared lest Bavaria should secure more privileges than Würtemberg.[82] Finally the opposition grew so strong that on November IIth a telegram was sent to Mittnacht commanding him to conclude no treaties without Bavaria.[83]

Bismarck was so provoked at this new evidence of hostility that for a moment he considered arousing the public opinion of the Southern States against the governments.[84] The Würtemberg envoys returned to Stuttgart to disentangle the government's policy. Bavaria was free for the moment to increase the demands upon Bismarck.

Gasser's move failed to have the effect that he had expected. It delayed the negotiations, it is true,for a few days, but its ultimate result was to bring Bavaria to terms more quickly. ~~Bray~~ Bray and his colleagues knew that it would take too long to await instructions on each point from Munich, hence they decided to pre-

82.Brandenburg,Der Eintritt,62-63.
83. " Briefe und Aktenstücke,II,Nr.143,Stolze222.
84. " Der Eintritt,66.
It is hinted that Queen Olga of Würtemberg, sisterof the Czar, hoped to secure the Hohenzollern lands in Würtemberg by witholding her consent to further negotiation.
-Stolze-227

sent to the king and his advisers the treaty as an accomplished fact. The new basis of negotiations was given to Bismarck November I2th. Nothing was heard in the last stages of the discussion about Bavaria's eight votes in the Bundesrat, diplomatic representation in the Bund, and the other points that had been such stumbling blocks to the progress of the negotiations.[85]

The military question, alone, remained between Bavaria and union with the North German Confederation. Pranck, the Bavarian war minister, asked for full military independence in time of peace and the establishment and administration of the military budget by the Bavarian Landtag. In return Bavaria would acknowledge the subordination of the army to the king of Prussia in war time, would permit the entire reorganization of the army after the Prussian model, and would to the Prussian king the right of inspection in time of peace.[86]

An agreement was reached between Bavaria and Bismarck, November I9th, but the king and the Prussian officers were not satisfied. Since Bismarck knew well the value of the opportunity that was within his grasp, he at once busied himself in bringing pressure to bear upon the opponents of the treaty. He threatened to make public the names of the men who were blocking the negotiations, he quarrelled with the Crown Prince of Prussia, he drew the Grand Duke of Baden and the Duke of Oldenburg to his support, although they agreed with the king, and he warned King William of the dan-

85. Brandenburg, Der Eintritt, 69-72.
Stolze, sup. cit., 249 et seq.
86. " 253; Brandenburg, Der Eintritt, 73.
Howard, German Empire, 393.
This was the last of the military conventions which were negotiated between Prussia and the South German States. The other states, Würtemberg, Baden, and South Hesse had concluded their conventions in I867, but Bavaria had waited until the present time.

ger of opposing such a trivial matter as that the uniforms of the Bavarian soldiers should retain the Bavarian collar. Bavaria yielded the matter of the military budget to the Reichstag, and permitted her troops to take the oath in time of war.[87]

The negotiations as they were carried on between the 19th and 23rd of November are not known, but on the latter date the king of Prussia gave his consent to the treaty and on the same evening it was signed.[88]

The contents of the treaty between Bavaria and the North German Confederation have been indicated already. The most important provisions that have not been mentioned were: Bavaria should have six votes in the Bundesrat as before, control of railways, post and telegraph systems, have a permanent position on the committee on military affairs, and have the presidency of the committee on foreign affairs.[89] The power to declare war was vested in the Federal Council.

87. Brandenburg, Der Eintritt, 73-74; Stolze, sup. cit., 256.
88. " Briefe und Aktenstücke, II, Nr. 178.
89. " " " Nr. 188.

Note- Howard in The German Empire, 26, 295, 296, 333, 390, gives the special rights granted to Bavaria. Bavaria retained certain regulations concerning the right of domicile and of settlement; this was true of the postal and telegraph systems, also; the taxation of domestic brandy and beer was made a matter for state legislation; certain railroad exemptions were granted; certain insurance laws may be passed only with the permission of Bavaria Bavaria retained the legislation and regulations respecting military matters which were in force at the time of her entrance in to the Empire. The general obligation to do military service rests on the Bavarian citizen as well as other Germans. All Imperial legislation in regard to the army extends to Bavaria as to the other states. Bavaria assumes the sole burden of her own military organization and has complete control of the army in time of peace. Bavaria has six votes in the Bundesrat, has a permanent place on the Imperial Committee for the Army and Fortifications in the Bundesrat, has the chairmanship of the Committee on Foreign Affairs, and has the right of substitution in the chairmanship of the Bundesrat. Should the Imperial ambassador be prevented from acting, the Bavarian ambassador may represent him. The expenses of the Federal Office for citizenship are not shared by Bavaria; 75% of the expenses of the railroad office

In the meantime the treaties with Baden and Hesse had been signed. That with Würtemberg was concluded on the 25th of November.

Bismarck had not expected Bavaria to yield so quickly, although he believed that finally an agreement would be reached.[90] How he felt in regard to the conclusion of the negotiations is related by Busch: "The Chief was in the salon with the three Bavarian Plenipotentiaries. In about a quarter of an hour he opened one side of the door, bent his head forward with his friendliest look, and came in with a glass in his hand and took a seat at the table. 'Well,' he said,his voice and looks betraying his emotions, 'the Bavarian Treaty is made and signed. German unity is secure and the German Emperor,too.' We were all silent for a moment.----he observed,'the newspapers will not be satisfied, and he who writes history in the usual way may criticize our agreement. He may possibly say, "The stupid fellow should have asked for more; he would have got it, as they would have been compelled to yield." And he may be right so far as the compelled is concerned. But what I attached more importance to was they should be thoroughly pleased with the thing. What are treaties when people are compelled to enter into them! And I know they went away pleased----. I did not want to squeeze them or to make capital out of the situation. The treaty has its deficiencies, but is for that the more durable. The future can supply these deficiencies----. The king,also, was not satisfied. He was of the opinion that such a treaty was not worth much. My opinion is quite different. I consider it one of the most important results which we have attained in recent years. I finally succeeded in carrying it

90.Busch,Bismarck:Some Secret Pages of his History,I,246.
Note continued-
is exempt to Bavaria, as is all taxation to pay expenses of regulating taxes on beers and brandies. Bavaria does not contribute to that part of the Imperial debt which concerns military matters and the post and telegraph systems.Where Bavaria has an ambassador she does not support the Imperial Ambassador.

through by exciting apprehensions of English intervention unless the matter were speedily settled. As to the question of the Emperor, I made that proposal palatable to them in the course of the negotiations by representing that it must be easier and more satisfactory for their sovereign to concede certain rights to the German Emperor than to the neighboring king of Prussia.'"[91]

Bismarck wanted Bavaria to enter willingly and at peace, and he was ready to grant some special rights in order to bring this about. This was his whole policy in a nutshell, and it seems to have been his policy since 1866.

There was some discussion over the form of the title that William should bear. The Crown Prince wanted the kings of the South German States reduced to dukes,and his father made king of Germany. Bismarck wanted the title Emperor of Germany, but Bavaria objected to this so decidedly that Bismarck conceded the point,and the title was given as German Emperor.[92]

It was not to be expected that the treaties would be approved by the different states without opposition. In Bavaria the king was disappointed because he had not secured an increase of territory. It is possible that he thought of resigning in favor of his brother. How his consent was finally secured is not known. The anti-Prussian forces also busied themselves in opposition, but in spite of this the treaty was approved in January, 1871. In Prussia it was thought that Bavaria had been given too much. Delbrück told the North German Parliament that it was natural that a large state like Bavaria should be granted special rights. He said that "the primary requisite of unity," a united German army had been secured and with that they should be satisfied. Here, too, the treaty was soon approved.

91.Busch,Bismarck:Some Secret Pages of his History,I,241.
92.Kobell,sup.cit.,41.

While the question of the adoption of the treaties in the different states was being debated Bismarck was bending his efforts to secure for Prussia the titular, as well as the real, leadership of Germany. The present movement was not a revolt against the monarchical principal as was that of 1848-49, nor was it unitarian in the sense that it sought to create a great, powerful state by destroying the single states.[93] It was rather a movement toward a close confederation of the states of Germany leaving each to retain as much as possible of its independence and its sovereignty. It was for this reason that Bismarck preferred to have the princes make the offer of the Imperial crown to William rather than to have the Reichstag make it. That the German people could dispose of the crown he considered disproved by the events of 1849. Of all the German princes Brismarck strongly favored King Ludwig of Bavaria as the most suitable to make the proffer of the crown.[94] It seems very probable that Bray and Bismarck had mentioned the Kaiser frage late in October, but it is not known which broached the subject.[95] Bray seems to have favored granting the crown to William even when he thought of Bavaria's remaining outside of the Confederation. Delbrück brought back from Munich in September the impression that a German Kaiser would be popular.[96]

Ludwig thought that if Bavaria were to make the offer, it should be the concern of the court and not of the ministry. Therefore, most of the negotiations on that subject were carried on by Chief Equerry,Count Holstein, without the aid,and often without the knowledge of Prime Minister Bray. About the time of the signing of the treaty, November 23, Ludwig sent Holstein to Versailles with special personal orders. It is pretty well established that his

93.Stolze,sup.cit.,164.
94.Kobell,sup.cit.,25.
95.Stolze,sup.cit.,199-200.
96. " " 200.

object was to learn the manner in which Bismarck wished the offer made; that Holstein brought back with him to Hohenschwangau, where Ludwig was staying, the draft of the Kaiserbriefe; and that after King Ludwig had agreed to its form the Chief Equerry, journeying by rapid stages, laid it before King William on December 3.[97]

The final act of union and the proclamation of the Empire took place in the great Hall of Mirrors of the palace of Versailles, January I8, I87I.

It has been shown that Bismarck did not interfere in any way in Bavarian affairs, nor did he offer any inducement to any of the South German States to enter the North German Confederation in the period from I866 to I870. For him it was enough to know that he had a treaty of offense and defense with Bavaria, a link of some strength which if it did not lead to union at last,would leave his hands free to weld the North German Confederation into a compact, effective government. While he was engaged in this task he observe the effect of such events as the Luxembourg affair upon South Germany, how closely the Zollverein bound the sections, and the influence of such Nationalists as Hohenlohe.

As soon as the Franco-Prussian war seemed upon the point of concluding favorably for Germany, however, he began to direct his efforts toward securing German unity. He seldom openly declared that as his object, but every opportunity was used to bring it about.

When one thinks of the domineering character which is ascribed to the man, he is rather surprised to observe how gently and at the same time how deftly he treated with Bavaria. He sent Delbrück

97. Brandenburg,Briefe und Aktenstücke,II,Nrs.208,209,2I4, 233.
Hohenlohe,Memoirs,II,34;Busch,sup.cit.I,393.
Schulthess,Geschichtskalendar,I870,22I.

to Munich at Bavaria's own request to confer on the matter of union. Here Mittnacht, as well as Delbrück, showed Bavaria the untenability of her position. When Bavaria accepted his invitation to continue the conference at Versailles, Bismarck secured a great advantage. He now knew how anxious Bavaria was for union. The Bavarian ministers were surrounded by those of other South German States busily engaged in concluding treaties with the North German Confederation through Bismarck's colleagues, Delbrück, and Roon.

With the leaders of North Germany Bismarck was domineering and arbitrary. He differed with King William, with the Crown Prince, and with von Moltke,but he carried them with him at the last. He seems to have been the only impartial participant in the negotiations. He, alone, could have carried them through successfully. The German nation stands as a monument to his genius.

Appendix A.

Kaiserbriefe of King Ludwig to King William.

Die von Preussens Heldenkönige siegreich geführten deutschen Stämme, in Sprache und Sitte, Wissenschaft und Kunst seit Jahrhunderten vereint, feiern nunmehr auch eine Waffenbrüderschaft, welche von der Machtstellung eines geeinigten Deutschlands glänzendes Zeugniss gibt. Beseelt von dem Streben, an dieser werdenden Einigung Deutschlands nach Kräften mitzuwirken, habe ich nicht gesäumt,desshalb mit dem Bundeskanzleramte des norddeutschen Bundes in Verhandlungen zu treten. Dieselben sind jüngst in Versailles zum Abschlusse gediehen. Nach dem Beitritte Süddeutschlands zum deutschen Verfassungsbundnisse werden die Sr. Maj. dem Könige von Preussen übertragenen Präsidialrechte über alle deutschen Staaten sich erstrecken. Ich habe mich zu deren Vereinigung in Einer Hand in der Ueberzeugung bereit erklärt das dadurch den Gesammtinteressen des deutschen Vaterlandes und seiner verbündeten Fürsten entsprochen werde, zugleich aber in dem Vertrauen, dass die dem Bundespräsidium nach der Verfassung zustehenden Rechte durch Wiederherstellung eines deutschen Reiches und der deutschen Kaiser würde als Rechte bezeichnet werden, welche Se. Majestät der König von Preussen im namen des gesammten deutschen Vaterlands auf Grund der Einigung seiner Fürsten ausübt. In Würdigung der Wichtigkeit dieser Sache wende ich mich nun an Eure k--- mit dem Vorschlage in Gemeinschaft mit mir bei Sr. Maj. dem Könige von Preussen in Auregung zu bringen, dass die Ausübung der Bundespräsidialrechte mit Führung des Titels eines deutschen Kaisers verbunden werde. Es ist mir eine erhebender Gedanke, dass ich mich durch meine Stellung in Deutschland und durch die Geschichte meines Landes berufen fühlen kann, zur Krönung des deutschen Einigungswerkes den ersten Schritt zu

thun,und gebe ich mich der freudigen Hoffnung hin, dass Eure k---
meinem Vorgehen Ihre freundliche Zustimmung ertheilen werden.

Appendix B.

Bismarck's Attitude toward the Entrance of Bavaria into the North German Confederation.

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